

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

EDWARD PROBYN JAMES III, an  
individual, and SUSAN CAY JAMES, an  
individual,

Plaintiffs,

vs.

WELLS FARGO BANK, NA  
CORPORATION, a California corporation,  
DIRECT MORTGAGE CORP., a Utah  
corporation, LOAN PEAK TITLE, and  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., a  
Delaware corporation,

Defendants.

MEMORANDUM DECISION AND  
ORDER GRANTING DEFENDANTS  
WELLS FARGO BANK, N.A. AND  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.'S  
MOTION TO DISMISS

Case No. 2:10-CV-89 TS

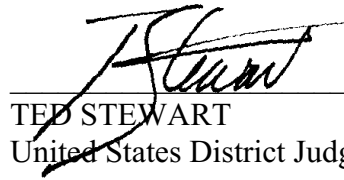
This matter is before the Court on a Motion to Dismiss filed by Defendants Wells Fargo Bank, N.A. (“Wells Fargo”) and Mortgage Electronic Registration Systems, Inc. (“MERS”). The Motion was filed on December 20, 2010. Plaintiffs have not responded to the Motion.

Local Rule 7-1(d) permits the Court to grant a motion based on a failure to respond.<sup>1</sup>  
Having reviewed the merits of Defendants' Motion to Dismiss, the Court finds that it is well-taken and will be granted. It is therefore

ORDERED that Defendants' Motion to Dismiss (Docket No. 7) is GRANTED.

DATED February 17, 2011.

BY THE COURT:



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TED STEWART  
United States District Judge

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<sup>1</sup>DUCivR 7-1(d) ("Failure to respond timely to a motion may result in the court's granting the motion without further notice.")